



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni Taber, CMC
Acting City Clerk

SUBJECT: The Public Record
February 22, 2013 – February 28, 2013

DATE: March 1, 2013

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Notification letter from T-Mobile West LLC to the City of San José dated February 7, 2013 regarding T-Mobile Site No. SF15072C.
- (b) Notice of Application filed from Megabus West, LLC with the California Public Utilities Commission, dated February 19, 2013, regarding a passenger stage corporation certificate to perform daily scheduled passenger service between Los Angeles and San Francisco.
- (c) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding “Thanks to San Jose Police Office Mark Stephens (#3558! [Event #13-047-0253] SJPd politely tells a “shiftless character (my words)” to “move along!”
- (d) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding “Thanks to San Jose Police Office Jeremy Martinez (#3467! [Event #13-047-0253] SJPd politely tells a “shiftless character (my words)” to “move along!”
- (e) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013 regarding Should the Auditors “get a piece of the pie” when they prove ESD Administration are Bozos?
- (f) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding Library Parcel Tax needs to be reformulated to reflect “residences” within High Density projects.
- (g) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding The Ghetto Life: Camp Chuck Sam! is still active and why are the baseball field’s “lights on” at night?
- (h) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding Residential sewage flow meters, back-flow devices and grease interceptors will spur economy!
- (i) Letter to Mayor Reed and the City Council from David Wall dated February 28, 2013, regarding Financial instruments predicated on revenue sharing should be created for city employees.

Toni Taber, CMC
Acting City Clerk

T-MobileT-Mobile West LLC RECEIVED
1855 Gateway Boulevard, 9th Floor
Concord, CA 94520
City Clerk

2013 FEB 26 AM 9:51

February 7, 2013

Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102**RE: T-Mobile West LLC, formerly known as T-Mobile West Corporation (U-3056-C).
Notification Letter for T-Mobile Site No. SF15072C:**

This letter provides the Commission with notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California (CPUC) that with regard to the project described in Attachment A:

- ☒ (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- ☐ (b) No land use approval is required because
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A copy of this notification letter is being sent to the local government agency identified below for its information. Should the Commission or the local government agency have any questions regarding this project, or if anyone disagrees with the information contained herein, please contact Daniel Paul, Area Director, Network Eng-OPS for T-Mobile, at 925-521-5508, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,

Daniel Paul
Area Director, Network Eng-OPS
T-MOBILE WEST LLC

Enclosed: Attachment A

CC:

City of San Jose, City Manager, 200 E. Santa Clara St. San Jose, CA 95113
City of San Jose, Planning Division, 200 E. Santa Clara St. Tower, 3rd Floor, San Jose, CA 95113
City of San Jose, City Clerk, 200 E. Santa Clara St. San Jose, CA 95113

ATTACHMENT A

1. Project Location

Site Identification Number: SF15072C
Site Name: Canyon Creek Plaza
Site Address: 5665 Silver Creek Valley Rd, San Jose, CA 95138
County: Santa Clara
Assessor's Parcel Number: 679-29-007
Latitude: 37 ° 17' 16.43" N
Longitude: - 121 ° 46' 50.65" W

2. Project Description

Number of Antennas to be installed: (2) existing panel antennas to be removed and replaced
with (4) new panel antennas
Tower Design: Building
Tower Appearance: Rooftop mounted behind screening
Tower Height: 34'-6"
Size of Building: No change to lease area

3. Business Addresses of all Governmental Agencies

City of San Jose, City Manager, 200 E. Santa Clara St. San Jose, CA 95113
City of San Jose, Planning Division, 200 E. Santa Clara St. Tower, 3rd Floor, San Jose, CA 95113
City of San Jose, City Clerk, 200 E. Santa Clara St. San Jose, CA 95113

4. Land Use Approvals

Date Zoning Approval Issued: 1/28/13
Land Use Permit #: PD99-049

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San Jose City Clerk

PUBLIC RECORD b

ATTACHMENT A

2013 FEB 26 AM 9:56

NOTICE

On February 19, 2013, the Application of Megabus West, LLC was filed with the California Public Utilities Commission, seeking a passenger stage corporation certificate to perform daily scheduled passenger service between Los Angeles and San Francisco (with intermediate stops in Burbank, Oakland and San Jose), and between San Francisco and Sacramento. The fares for the service are provided at Exhibit D of the Application. The service will be operated using Van Hool Model TD925, 88 seat capacity coaches. A copy of the Application and related exhibits will be furnished by applicant upon request. Please direct request to: David H. Coburn, Steptoe & Johnson LLP, 1330 Connecticut Avenue NW, Washington, DC 20036 (202)-429-8063.

David S. Wall
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San Jose City Clerk

2013 FEB 28 PM 4:39

February 28, 2013

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Thanks to San José Police Officer Mark Stephens (#3558)! [Event #13-047-0253]**SJPD politely tells a "shiftless character (my words)" to "move along!"**Dateline: "The Hood" [Thursday, (02.28.13)]. *Officer Mark Stephens protects my neighborhood!*

Early Saturday morning, February 16, 2013 my wife had reasonable cause for alarm for as she exited our house, she noticed a man staring at her and then into the lot next to our house. She immediately notified me and I responded to find an adult male standing by my fence line that separates the lot from the public side walk. I politely greeted the man and asked him what he was doing and if he needed any assistance. The man said he was a "General Service Worker" and he was waiting for the nearby Park to open where he was to perform his service for the County.

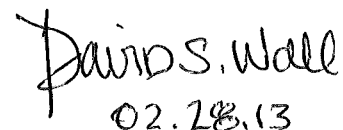
Having seen General Subsistence workers before, No problem and I returned to my front room office to initiate some much needed correspondence. From my front window I could easily observe the "GSA worker" while he sat in his van.

After about three hours at my desk and noticing that the "GSA worker" was still in his van, I "dropped a dime on this lying piece of sh*t" to the dutiful and honorable 311 Dispatchers and the San José Police responded.

Three Officers responded, the Sergeant and **Officer Mark Stephens #3558** cleared before I could personally thank them. **Officer Jeremy Martinez #3467** stayed after the suspect left the area.

Later, upon my further investigation, the alleged "GSA worker" turned out to be a registered Sex Offender.

It is my prayer that you take the necessary steps to convey my sincerest "Thanks," in a timely and through manner, to **San José Police Officer Mark Stephens** for a job done well and in the finest traditions of the San José Police Department.

Respectfully submitted,
02.28.13

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**Cc: City Attorney / City Auditor / City Manager
Acting Chief of Police / SJPOA**

David S. Wall

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San Jose City Clerk

2013 FEB 28 PM 4:39

February 28, 2013

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*Respectfully submitted,**David S. Wall*
02.28.13///
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Cc: City Attorney / City Auditor / City Manager
Acting Chief of Police / SJPOA

David S. Wall

RECEIVED
San Jose City Clerk

2013 FEB 28 PM 4:40

February 28, 2013

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Should Auditors “get a piece of the pie” when they prove ESD Administration are Bozos?

Don't forget exposing ESD's Administration's Bozitas, especially, that roly-poly bimbo.

Auditors dealing with ESD should get “all the pie they want.”

Dateline: City Desk [Thursday, (02.28.13)]. *Feel sorry for the Auditors having to deal with ESD.*

Being an Auditor for the City of San José has to be the hardest job in the city. Auditors always find out who is “naughty” in the organization but, they are forced to be polite to the substandard administrative cretins that are empowered and hoisted upon the city via the Office of the City Manager using the archaic city charter sections 411 and 411.1 to pass out “party favors.”

At issue are the “Master Agreements for engineering services related to capital improvement projects at the San José / Santa Clara Water Pollution Control Plant (WPCP).”

Lets go back...back...in a time not so long ago, when the “Acting Director” of the Environmental Services Department (ESD) didn't even have an accurate organization chart and freely promoted “friends” into positions of responsibility, like a Deputy Director of the Capital Improvement Program (CIP) who sat on “hundreds of millions of rate payer dollars” and did nothing except; was there an Engineering firm who got to write their own “Request For Proposal and then received a \$5.2 million dollar contract? Pray tell, what happened next? The Auditor's report slams ESD for gross negligence and there is a controversy as to how much of the “hundreds of millions of rate payer dollars” must be repaid because of Proposition 218, and there were more “promotions” at ESD. But, a citizen spoke about the \$5.2 million dollar contract and the contract was mysteriously never executed then or to this very day.

Thus, I think it is grossly unfair for the Auditors to have to be polite and not “get a piece of the pie” that they so justly deserve. Council should do something about this travesty and make it right.

For example, should Auditors be able to “spank the bare bottoms” of those “naughty” ESD administrators? I think a “public paddling of ESD naked rumps” and “merit Increases” for the Auditors could bring a little levity, to soothe the suffering pains that did flow from gross lack of judgment that the Office of the City Manager for allowing experimentation to go so foul astray.

Council, you should all be charitable to the Auditors, You all know how much money they save the city so why not reward them with some cash? You know it will make you feel good.

Respectfully submitted,

David S. Wall
02.28.13

Cc: City Attorney / City Auditor / City Manager / Director Finance

David S. Wall

RECEIVED
San Jose City Clerk

2013 FEB 28 PM 4:40

February 28, 2013

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Library Parcel Tax needs to be reformulated to reflect "residences" within High Density projects.

Every "residence" should be share an "equal and equitable tax burden" to fund city services.

Dateline: City Desk [Thursday, (02.28.13)]. *Reformulation of Parcel Taxes is fair and overdue.*

The parcel tax for the library has a troubled past. As memory either fades or serves me well, the Library Parcel Tax started under Mayor Hammer's reign and it was known as Measure E. The tax was passed and a \$10 fee was placed on parcels for libraries. But, there were conditions on how this money was to be used.

Over the years the Library's Parcel Tax (LPT) grew and was used for a variety of purposes. There was also an oversight board to insure the money was used correctly as defined by Measure E. Here in lies the rub, the interpretation by library officials as to justify how the money was spent.

So, it seems that library officials over the years have integrated the LPT into their operational budget cycles and therefore have come to rely on this money as we see in their pleas for mercy today. But, as I recall, the LPT monies were not to be used to the extent library officials over the years used this money to expand empire.

For some time I have argued for Parcel Tax Reform, primarily because single family homes are slowly being replaced by High Density living projects and this creates a revenue imbalance within the spirit of the LPT and other funds. Utopia must pay its fair share for funding city services.

Parcel Tax Reform would have every "residence" counted as "taxable" within these "High Density living structures." These residences would be incorporated into the reformulation of the Parcel Tax structure for revenue generation for; Libraries, Sewer Service & Use Charge, the Storm Sewer & Use Charge, possibly a new charge to fund for road repair and improvement and to pay for city employee retirement costs.

By reformulating Parcel Taxes so that "all residences participate equally and equitably" that includes; High Density projects, Lofts, Single Room Occupancy units, apartment complexes, duplexes, single family homes that have been "chopped up and made into rooming houses," etcetera and so forth for revenue generation to fund required city services. The cost will be spread out over the population of San José in such a way as to not be "burdensome and oppressive."

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager

David S. Wall
02.28.13

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Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: The Ghetto Life: Camp Chuck Sam! is still active and why are the baseball field's "lights on" at night?

More visitors are checking out Camp Chuck Sam! and are disgusted with what they see.

Camp Chuck Sam!, is relatively quiet at night and No "fires have been sighted.

Dateline: City Desk [Thursday, (02.28.13)]. *Why are there "high end autos" at Camp Chuck Sam!?*

Camp Chuck Sam! Was named after Mayor Chuck Reed and Councilmember Sam Liccardo whose District 3 is the physical location of the "Vagrant Urban Villages." The physical address of **Camp Chuck Sam!** is located behind Columbus Park, under the flight path of the Airport, bounded by West Taylor Street, West Hedding Street, Coleman Avenue and the *Guadalupe River.

God's children a.k.a. "The Vagrants" consist of classes of human beings, they are: the social miscreants, criminals on parole, the illegal aliens, the poor, possible United States Military Veterans, the downtrodden, people who enjoy free rent and the mentally ill. They have built and continue to build, their respective "Vagrant Urban Villages" in an area that once had single family homes. These homes were seized by the government many years ago using eminent domain as excuse because the homes were under the flight path of departing and arriving aircraft at the airport.

Camp Chuck Sam! San José's Flagship, "Vagrant Urban Villages" is a varietal sh*t hole.

Camp Chuck Sam!, is a testament to Council's congenital lack of leadership and waffling indecision on how to deal with the trespassing Vagrant community.

Camp Chuck Sam!, is an illustration why the Housing department should be "shut down."

There are some interesting occurrences going on at **Camp Chuck Sam!**, during the night time. During modified neighborhood watch patrols I have noticed that the baseball field's lights are always left on, yet no one is playing "baseball."

I have also observed expensive automobiles like an Audi and a Mercedes Benz shrouded in the darkness by the restroom area behind Columbus Park. A white colored "box truck" in this same area is really an apartment on wheels. This is a clever adaptation in the use of this type of vehicle. Also, There is an occasional bicyclist talking to a scantily clad female. Perhaps pleasantries are exchanged under the cover of night. There are of course, some pretty nasty looking adult males who observe me while I am in the area.

On Spring Street, the usual red truck and beige four door sedan are always present.

A mound of rotting garbage can be seen from Coleman Avenue, on the North East side of "Master Metal Products" (the Quonset hut buildings along northbound Coleman Avenue.

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager / Director Housing

David S. Wall
02.28.13

David S. Wall

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San Jose City Clerk

2013 FEB 28 PM 4:38

February 28, 2013

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Residential sewage flow meters, back-flow devices and grease interceptors will spur economy!

Proposition 218 as it applies to the Sewer Service & Use Charge is not the same ol "ballgame."

It is time to look and begin treating residential sewage at the source.

Dateline: City Desk [Thursday, (02.28.13)]. *Source Control of pollutants is a good practice.*

Some years ago, the city recommended homeowners install a sewage back-flow valve on their homes to prevent raw sewage backing up in their homes in case of an emergency.

I contend the time is now to compel property owners not only to install sewage back-flow valves but, to also install residential sewage flow meters and grease interceptors.

The residential sewage flow meters would accurately measure the flow of sewage into the collection system and the property owner would be accurately billed for the service. This would be in accordance to the language contained in Proposition 218.

Further, it has been reported that 70% of the grease causing problems in the collection system and for the San José / Santa Clara Water Pollution Control Plant to effectively treat. I think the installation of residential grease interceptors would also be of value to protect the environment and to prevent costly sewage spills due to grease clogging the collection system.

If a packaged cost to provide the installation and resulting service calls were moderately priced, the local economy would benefit. There would also be a significant number of jobs and tax revenues created.

Respectfully submitted,

David S. Wall
02.28.13

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Cc: City Attorney / City Auditor / City Manager / Director Public Works

David S. Wall

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San Jose City Clerk

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February 28, 2013

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Financial instruments predicated on revenue sharing should be created for city employees.

Salary and benefit "take-a-ways" have severely injured the organization to deliver services.

Revenues coming into the city should be shared with employees via "financial instruments."

The Finance Department should be able to create a variation of annuities to benefit employees.

Dateline: City Desk [Thursday, (02.28.13)]. *Can we get creative to compensate employees fairly?*

Considering that Council is really not a group of heartless goons or demonic creatures usually found in the fiery depths of Hell, I believe it is time for the creation of financial instruments, variations of annuities to compensate city employees from the ravages of Measure B and other forms of ministerial based thefts and impositions.

Consider the pronouncements made by Council that revenues will be significantly up due to all the give-a-ways to developers to locate their businesses in San José, Samsung being one of the largest recipients of taxpayer cash. Cisco Systems didn't do so badly either.

I believe Mayor Reed really wants to put back on his Santa Clause suit he wears for developers every time they come to town but, this time to benefit the city organization via retaining valuable employees who really run the show.

One idea I have is that the financial instrument could be in the form of a "tax free bonus" paid to the employee upon retirement. To fund this "tax free bonus" would require the Finance Department to create an algorithm in which incremental funds are siphoned off of incoming revenues and are placed into an annuity based upon balanced growth. The "tax-free status" would be conferred as that the employee who put in the years and made it to retirement, the amount of torment that employee had to endure creates a viable personal injury and personal injury awards are not taxable.

Council would of course have to explain to the Internal Revenue Service as to why all City of San José employees are injured upon retirement but, that will not be too hard to do since they are liars, cheaters and thieves. This process becomes even easier because Council is comprised of members predicated upon overlapping election cycles so, current serving members can always blame the dearly departed members for doing the cumulative evil deeds that caused personal injury to the city employees.

C'mon Council, let's find a way to fairly compensate city employees!

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager / Director Finance

David S. Wall
02.28.13